

# State of Wisconsin



2009 Assembly Bill 560

Date of enactment: **April 21, 2010**

Date of publication\*: **May 5, 2010**

## 2009 WISCONSIN ACT 212

AN ACT *to repeal* 230.45 (1) (e); and *to amend* 230.44 (3), 230.44 (4) (b), 230.45 (1) (h) and 230.45 (3) of the statutes; **relating to:** remedial statutory changes affecting the Wisconsin Employment Relations Commission (suggested as remedial legislation by the Wisconsin Employment Relations Commission).

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 230.44 (3) of the statutes is amended to read:

230.44 (3) **TIME LIMITS.** Any appeal filed under this section may not be heard unless the appeal is filed within 30 days after the effective date of the action, or within 30 days after the appellant is notified of the action, whichever is later, ~~except that if the appeal alleges discrimination under subch. II of ch. 111, the time limit for that part of the appeal alleging such discrimination shall be 300 days after the alleged discrimination occurred.~~

**SECTION 2.** 230.44 (4) (b) of the statutes is amended to read:

230.44 (4) (b) An employee shall attend a hearing under this subsection and testify when requested to do so by the commission. Any person not under the civil service who appears before the commission by order shall receive for his or her attendance the fees and mileage provided for witnesses in civil actions in courts of record under ch. 885, which shall be audited and paid by the state in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the commission and charged to the proper

appropriation for the commission. No witness subpoenaed at the insistence of a party other than the commission is entitled to compensation from the state for attendance or travel, unless the commission certifies that his or her testimony was relevant and material to the matter investigated.

**SECTION 3.** 230.45 (1) (e) of the statutes is repealed.

**SECTION 4.** 230.45 (1) (h) of the statutes is amended to read:

230.45 (1) (h) Keep minutes of its own proceedings and other official actions. All such records shall, subject to reasonable rules, be open to public inspection. Records of the director or the administrator which are confidential shall be kept confidential by the ~~division of equal rights or the commission.~~

**SECTION 5.** 230.45 (3) of the statutes is amended to read:

230.45 (3) The commission shall promulgate rules establishing a schedule of filing fees to be paid by any person who files an appeal under sub. (1) (c) ~~or (e)~~ or s. 230.44 (1) (a) or (b) with the commission on or after the effective date of the rules promulgated under this subsection. Fees paid under this subsection shall be credited to the appropriation account under s. 20.425 (1) (i).

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\* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].